

Fill in this information to identify your case:

United States Bankruptcy Court for the:

SOUTHERN DISTRICT OF NEW YORK

Case number (if known) Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Bruckner Properties, LLC

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and doing business as names.

3. Debtor's federal Employer Identification Number (EIN) 20-8669729

4. Debtor's address Principal place of business

148-29 Cross Island Parkway  
Whitestone, NY 11357

Number, Street, City, State & ZIP Code

Queens  
County

Mailing address, if different from principal place of business

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify:

Debtor **Bruckner Properties, LLC**  
Name

Case number (if known)

**7. Describe debtor's business** A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))  
☒ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))  
☐ Railroad (as defined in 11 U.S.C. § 101(44))  
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))  
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))  
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))  
☐ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)  
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)  
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.  
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

**5313**

**8. Under which chapter of the Bankruptcy Code is the debtor filing?** Check one:

- ☐ Chapter 7  
☐ Chapter 9

☒ Chapter 11. Check all that apply:

- ☒ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).  
☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).  
☐ A plan is being filed with this petition.  
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).  
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.  
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?** ☒ No.  
☐ Yes.

If more than 2 cases, attach a separate list.

District	When	Case number
District	When	Case number

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?** ☒ No.  
☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor	Relationship
District	When
	Case number, if known

Debtor **Bruckner Properties, LLC**  
Name

Case number (if known)

**11. Why is the case filed in this district?**

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

**Why does the property need immediate attention? (Check all that apply.)**

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other

**Where is the property?**

Number, Street, City, State & ZIP Code

**Is the property insured?**

☐ No

☐ Yes. Insurance agency

Contact name

Phone

**Statistical and administrative information**

**13. Debtor's estimation of available funds**

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

**14. Estimated number of creditors**

☒ 1-49

☐ 50-99

☐ 100-199

☐ 200-999

☐ 1,000-5,000

☐ 5001-10,000

☐ 10,001-25,000

☐ 25,001-50,000

☐ 50,001-100,000

☐ More than 100,000

**15. Estimated Assets**

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☒ \$500,001 - \$1 million

☐ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

**16. Estimated liabilities**

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☒ \$500,001 - \$1 million

☐ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

Debtor **Bruckner Properties, LLC**  
Name

Case number (if known)

**Request for Relief, Declaration, and Signatures**

**WARNING --** Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature  
of authorized  
representative of debtor**

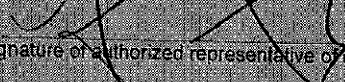
The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 06/25/2016  
MM/DD/YYYY

X   
Signature of authorized representative of debtor  
Title Managing Member

Louis Zuccarello  
Printed name

**18. Signature of attorney**

X 151  
Signature of attorney for debtor

Date 06/26/2016  
MM/DD/YYYY

Susan F. Balaschak  
Printed name

Akerman LLP  
Firm name

666 Fifth Avenue  
20th Floor  
New York, NY 10103  
Number, Street, City, State & ZIP Code

Contact phone 212-880-3800

Email address susan.balaschak@akerman.com

SB 1901  
Bar number and State

**UNANIMOUS WRITTEN CONSENT OF THE  
MANAGERS OF BRUCKNER PROPERTIES, LLC**

*June 25, 2016*

**THE UNDERSIGNED**, constituting all of the Managers (the "**Managers**") of **BRUCKNER PROPERTIES, LLC**, a New York limited liability company (the "**Company**"), in lieu of holding a meeting of the Managers, hereby adopt the following resolutions by written consent in accordance with the provisions of New York Limited Liability Company Act, as amended, (the "**Act**"), effective as of the date stated above.

**WHEREAS**, the Managers have considered the information provided to the Managers by the management of, and the advisors to, the Company, including, but not limited to the Company's restructuring counsel Akerman, LLP ("**Akerman**"), regarding the liabilities and liquidity situation of the Company, the strategic alternatives available to it and the impact of the foregoing on the Company's business and members; and

**WHEREAS**, the Managers have considered such information, have had sufficient opportunity to consult with the management of, and the advisors to, the Company and, on that basis, have fully considered each of the strategic alternatives available to the Company.

**NOW, THEREFORE, BE IT RESOLVED** that, in the judgment of the Managers, it is desirable and in the best interests of the Company, its creditors and other parties in interest, that the management of the Company be authorized and directed to file or cause to be filed a voluntary petition for relief under the provisions of chapter 11 of title 11 of the United States Code (the "**Bankruptcy Code**"); and

**RESOLVED** that the execution of this Unanimous Written Consent by Manager Louis Zuccarello shall act as his express written consent for the Company to adopt all of the resolutions contained herein;

**RESOLVED** that the Managers hereby authorize and empower Louis Zuccarello ("**Mr. Zuccarello**") to file a voluntary petition for relief under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Eastern District of New York on behalf of the Company, which filing be and the same is hereby approved (the "**Chapter 11 Proceedings**"); and

**RESOLVED** that Mr. Zuccarello is hereby authorized and directed, in the name of the Company and on its behalf, to seek such orders from the Bankruptcy Court, including without limitation, orders regarding the operation of the business and the financing thereof, as he may deem necessary or advisable during the pendency of the Chapter 11 Proceedings, including taking any and all action necessary to comply with the duties and obligations of the Company under and related to the Bankruptcy Code, and in connection therewith, to execute and file with the Bankruptcy Court such motions,

applications, pleadings, certifications, affidavits or other materials, including a disclosure statement and plan of reorganization, as Mr. Zuccarello may deem necessary or advisable and to retain all assistance from legal counsel, accountants, consultants and other professionals, and to take any and all actions, as Mr. Zuccarello deems necessary or advisable with respect to the Chapter 11 Proceedings; and

**RESOLVED** that the Company, through Mr. Zuccarello, is authorized: (i) to retain Akerman as general bankruptcy counsel to the Company to render legal services to and to represent the Company in connection with the Chapter 11 Proceedings and any other matters in connection therewith; and (ii) to retain on behalf of the Company such other professionals that Mr. Zuccarello deems necessary or advisable to represent or assist the Company as is necessary in connection with the Chapter 11 Proceedings;

**RESOLVED** that Mr. Zuccarello is hereby authorized, empowered and directed to do all things and to take all actions which he may deem necessary or advisable to accomplish the purposes and intent of the foregoing resolutions; and

**RESOLVED** that in addition to the specific authorizations heretofore conferred upon Mr. Zuccarello shall be authorized, directed and empowered, in the name of, and on behalf of, the Company, to take or cause to be taken any and all such further actions, to execute and deliver any and all such agreements, certificates, instruments and other documents and to pay all expenses, including filing fees, in each case as in such judgment shall be necessary or desirable to fully carry out the intent and accomplish the purposes of the Resolutions adopted herein; and

**RESOLVED**, that any and all actions previously taken by any director, member, manager, officer, employee or agent of the Company regarding or related to the Company's restructuring or the subject matter of any and all of the foregoing resolutions are hereby ratified, confirmed and approved in all respects; and

**FURTHER RESOLVED**, that in addition to and without limiting the foregoing, Mr. Zuccarello is hereby authorized to take, or cause to be taken, such further action, and to execute and deliver, or cause to be delivered, for and in the name and on behalf of the Company, all such other instruments and documents as they may deem appropriate in order to effect the purpose and intent of the foregoing resolutions (as conclusively evidenced by the taking of such action or the execution and delivery of such instruments, as the case may be, by or under the direction of the officers), and all action heretofore taken by the officers and agents of the Company in connection with the foregoing resolutions is hereby approved, ratified and confirmed in all respects as the act and deed of the Company.

The actions taken by this consent shall have the same force and effect as if taken by the undersigned at a meeting of the Managers of the Company, duly called and constituted pursuant to the Act.

This consent may be executed by facsimile signature, and a facsimile signature will constitute an original signature. This consent may be executed in counterparts, each

of which will be deemed to be an original and all of which, taken together, will constitute a single instrument.

By: 

Louis Zuccarello, Managing Member